

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

ACUITY MUTUAL INSURANCE CO.,	)	
	)	
Plaintiff,	)	
	)	1:09-CV-157
v.	)	<i>Edgar / Lee</i>
	)	
DARRELL FRYE and DARRELL AND	)	
LAFONNE FRYE, d/b/a TRINITY	)	
LEARNING CENTER,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court are Plaintiff's motions to compel responses to requests for production of documents [Doc. 37] and to strike Plaintiff's motion to compel responses [Doc. 43]. Plaintiff represents that the subject documents are expected to be produced during scheduled depositions pursuant to a subpoena duces tecum. For good cause shown, Plaintiff's motion to strike the motion to compel [Doc. 43] is therefore **GRANTED** and Plaintiff's motion to compel is **STRICKEN**. The hearing scheduled for December 15, 2009, is **CANCELLED**.

SO ORDERED.

ENTER:

s/ Susan K. Lee  
SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE